

34709

3

IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

VS. CASE NO. 07-F-68-K  
Judge H.L. Kirkpatrick III

MICHAEL MARTIN,  
Defendant

ORDER

This the 18<sup>th</sup> day of January, 2008, came the State of West Virginia, by its Chief Deputy Prosecuting Attorney, Kristen L. Keller, and came the defendant in person and by counsel, Dewitt Daniell, appearing before the Honorable H.L. Kirkpatrick III, Judge of the Circuit Court of Raleigh County, pursuant to his JURY VERDICT of GUILTY to FIRST DEGREE MURDER WITH NO RECOMMENDATION OF MERCY and FELONY CONSPIRACY.

Whereupon, the Court heard argument of counsel as to all post-conviction motions filed herein, and after due consideration all said motions are DENIED, for reasons set forth fully upon the record.

Whereupon, the Court pronounced sentence upon the defendant as follows: The defendant is sentenced to a term and period of confinement in the penitentiary for the remainder of his life, with no recommendation of mercy and no eligibility for parole on the charge of *First Degree Murder* and sentenced to a term and period of not less than one (1) year nor more than five (5) years in the penitentiary on the charge of *Felony Conspiracy*. Said sentences shall run *consecutively* to each other.

It is ORDERED that the defendant be given credit for time served from August 29, 2006 through January 18, 2008.

The defendant is ORDERED to pay costs incurred in the prosecution of this matter.

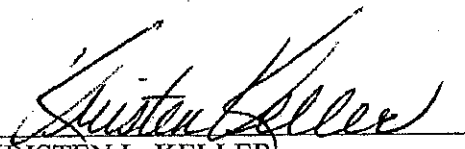
The defendant is remanded to the custody of the Southern Regional Jail to await transportation to the penitentiary.

ORDER:

ENTER:

  
JUDGE H.L. KIRKPATRICK III

PREPARED BY:

  
KRISTEN L. KELLER  
Chief Deputy Prosecuting Attorney  
State Bar # 1992